

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Labour Employment Training & Factories Department. – Insurance Medical Services - Dr.Rajasree Dixit, Civil Assistant Surgeon, ESI Hospital, R.C Puram deputation CHS in Intelligence Bureau, Srinagar in J&K State –Punishment imposed for her unauthorized absence from 01.09.2005 to 01.05.2009- Appeal against Punishment – Appeal allowed – Orders – Issued.

LABOUR EMPLOYMENT TRAINING & FACTORIES (IMS)DEPARTMENT

G.O.Rt.No. 257

Dated:09.02.2011
Read the following:

Ref:- 1)G.O.Ms.No.6, LET&F(IMS) Department, dated 30.01.2010
2)DIMS Proceedings No.L.Dis.No.8987/E1B/2005, dt.22.05.10
3)From Dr.Rajasree Dixit, CAS, deputation under CHS in Intelligence Bureau, at Srinagar, Jammu Kashmir State

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ORDER:

In the references 1st and 2nd read above, the major punishment of stoppage of three (03) annual grade increments with cumulative effect imposed on Dr.Rajasri Dixit, Civil Assistant Surgeon, ESI Hospital, Ramachandrapuram and the period of absence from 01.09.2005 to 01.05.2009 treated as “Dies Non” under FR-18 for all purposes.

2. In the appeal petition 3rd read above, Dr.Rajasri Dixit, Civil Assistant Surgeon, has stated that her husband, Dr. Mahesh Dixit, who was an IPS Officer was appointed as First Secretary in Embassy of India, Moscow, on a diplomatic assignment. Hence, She was forced to accompany her husband and she applied for grant of EOL or leave to whichever she is eligible on 15.07.2005. She has further stated that she may be permitted to reiterate that she had gone abroad only to assist her husband in the discharge of his service duties and not in any self interest. She has requested the Government to reconsider the punishment of stoppage of increments against her on the aforesaid reasons.

3. From the representation coupled with the record available, the facts surfaced are that she originally joined as Civil Assistant Surgeon at ESI Hospital, Rajahmundry on 11.02.2000 and her services were later regularized and probation was declared w.e.f 11.06.2002. In the year, 2005 her husband Dr.Mahesh Dixit, who was an IPS Officer (AP Cadre) was appointed as First Secretary in Indian Embassy at Moscow on a diplomatic assignment. Hence, she was forced to accompany her husband. She applied for grant of EOL or leave to whichever she is eligible on 15.07.2005. The Dept. did not take any action and consequently, she joined her husband at Moscow to assist her husband in the discharge of his service duties and not in any self interest and under the forced circumstances. Later, she also made applications twice in February, 2007 and June, 2008 to sanction the EOL as applied for earlier and to extend the same. No action seems to have been taken on her representations. According to the A.P Leave Rules, the Dept. should either sanction the leave as applied for or reject the same. In this case, no such action was taken. Hence, it may not be treated as an unauthorised absence.

4. On her return from Moscow after completion of the deputation period of her husband, she reported for duty on 27.04.2009 and was given posting at ESI Hospital, RC Puram. Again in June, 2009, she was permitted to go on deputation as Lady Medical Officer in BSF in Srinagar on the ground that her husband was again drawn on Central deputation to work at Subsidiary Intelligence Bureau, Srinagar.

(P.T.O)

5. While matter should thus, oblivious of the fact and the circumstances under which she placed and not taking into the consideration the fact of either rejecting or accepting the EOL resulting in not treating it as an unauthorised absence, the Dept. have consolidated all the cases of those doctors who were on unauthorized absence for various reasons and gave an omnibus order without going into the details of the peculiar circumstances prevailing in this particular case of Dr.Rajashree Dixit.

6. Government, after careful examination, considered the appeal petition of Dr.Rajasree Dixit, Civil Assistant Surgeon, ESI Hospital, R.C Puram as the facts as revealed do justify that the EOL applied for by her is very genuine and deserves sanction of such leave without any similarity with the other cases covered by G.O.Ms.No.6, LET&F(IMS) Department, dated 30.01.2010 and set aside the orders issued in the references 1st and 2nd read above in respect of Dr.Rajasree Dixit, CAS. The Govt. hereby direct the Director of Insurance Medical Services, A.P., Hyderabad to treat the absence period of Dr.Rajasree Dixit, Civil Assistant Surgeon, from 01.09.2005 to 01.05.2009 shall be treated as leave to which she is eligible.

4. The Director of Insurance Medical Services, A.P., Hyderabad shall take necessary action, immediately.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA RADESH)

D. SREENIVASULU
SECRETARY TO GOVERNMENT

To
The Director of Insurance Medical Services, A.P., Hyderabad
To the individual through the Director of Insurance Medical Services, A.P.,
Hyderabad
Copy to
The OSD to Hon'ble M(LET&F)ITIs)
P.S to Secretary to Government, LET&F Dept.
PA to Joint Secretary to Government, LET & F Department.

// Forwarded by order//

SECTION OFFICER